IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

FRIDAY, THE 23RD NOVEMBER 2007 / 2ND AGRAHAYANA 1929

WP(C).No. 36199 of 2004(H)

PETITIONER:

M.C.JOSE, S/O.CHAKKU,
MADAN HOUSE, CHULLI P.O.,
ANGAMALI VIA, ERNAKULAM DIST.

BY ADV. SRI.KALEESWARAM RAJ

RESPONDENTS:

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1. STATE OF KERALA, REPRESENTED BY
SECRETARY TO GOVERNMENT, DEPARTMENT OF EXCISE,
SECRETRIAT, THIRUVANANTHAPURAM.

2. THE EXCISE COMMISSIONER,
THIRUVANANTHAPURAM.

3. THE ASSISTANT EXCISE COMMISSIONER,
THODUPUZHA, IDUKKI DIST.

4. THE CHIEF WELFARE FUND INSPECTOR,
KERALA ABKARI WORKERS WELFARE FUND BOARD,
KOTTAYAM, NEAR COLLECTORATE, KOTTAYAM.

5. THE DISTRICT LABOUR OFFICER,
THODUPUZHA, IDUKKI DIST.

6. THE CIRCLE INSPECTOR OF EXCISE, THODUPUZHA.

7. THE CIRCLE INSPECTOR OF EXCISE,
UDUMBANCHOLA.

ADDL. 8. MOHANDAS, S/O.VISWANATHAN, LICENSEE,
TODDY SHOP NO.24/2004-2005, BALAGRAM, UDUMBANCHOLA,
KOMBAYAR, IDUKKI DISTRICT.

(ADDL. R8 IS IMPLEADED AS PER ORDER DT. 21.12.2004 IN IA 17516/04)

BY GOVERNMENT PLEADER, SMT.DEEPA
SRI.SOJAN JAMES, SC, KAWWF BOARD (FOR R4)
SRI.M.K.CHANDRA MOHANDAS, SC, K.ABKARI WW

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 23/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C) NO.36199/2004

APPENDIX

PETITIONER'S EXHIBITS:

EXT. P1: COPY OF THE IDENTITY CARD WHICH WAS VALID UPTO 31.3.1998 ISSUED TO THE PETITIONER BY THE REGISTERING AUTHORITY.

EXT. P2: COPY OF THE NOTICE DATED 17.11.2003 ISSUED BY THE CIRCLE INSPECTOR OF EXCISE, THODUPUZHA TO THE PETITIONER.

EXT. P3: COPY OF THE LETTER DATED 31.8.2004.

EXT. P4: COPY OF THE REPRESENTATION DATED 28.11.2004 FILED BY THE PETITIONER BEFORE THE 6TH RESPONDENT.

/TRUE COPY/

P.A. TO JUDGE

JP

KURIAN JOSEPH, J.

W.P(C) No.36199 of 2004

Dated this the 23rd day of November, 2007

JUDGMENT

The writ petition is filed with the following prayer:-

> i) to issue a writ of mandamus directing the respondents to give re-employment to the petitioner either in a licensed toddy show or in authorised shops under the Kerala State Beverages Corporation or Civil Supplies Corporation forthwith.

There are other ancillary reliefs also. In case the petitioner is still aggrieved he may approach the 5th respondent, in which case the matter will be duly considered by the said respondent with notice to the affected parties also.

The writ petition is disposed of as above.

(KURIAN JOSEPH, JUDGE)

ahg.

KURIAN JOSEPH, J.

W.P(C).No.36199 of 2004

JUDGMENT

23rd November, 2007